



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37974-0167 11/26/02

Applicant(s): Klaus ZIMMERMANN *et al.*

Confirmation No.: 7245

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Appl. No.: 09/745,017

Examiner: E. Whisenant

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Art Unit: 1634

TECH CENTER 1600/2900

Title: METHODS FOR THE DETECTION, QUANTIFICATION AND
DIFFERENTIATION OF INFECTIOUS VERSUS NON-INFECTIOUS
PATHOGENS IN A SAMPLE

AMENDMENT AND REQUEST RECONSIDERATION
UNDER 37 CFR § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants herein respond to the Office Action mailed August 26, 2002 (Paper No. 10). Applicants believe that no extension of time is required, but expressly request an extension, and provide an authorization to charge our firm deposit account, should an extension be needed. Please debit any underpayments, or credit any overpayments, to firm deposit account no. 08-1641.

IN THE CLAIMS

Please cancel claims 9-20 without prejudice or disclaimer. Please amend and add claims as set forth below.

1. (Amended) A method for determining the type of target nucleic acids in a sample, wherein the method is capable of differentiating free and encapsulated target nucleic acids in the sample, wherein the method comprises

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